

REMARKS

Claims 9-10 are pending in this application. By this Amendment, claim 9 is amended, and claims 1-6 are canceled without prejudice to or disclaimer of the subject matter contained therein. No new matter is added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicants appreciate that the Office Action indicates that claims 9-10 contain allowable subject matter.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Formal Matters

The Office Action objects to claim 9 due to an informality. Claim 9 is amended to recite "resonance" instead of "resonation," so as to obviate the objection. Accordingly, Applicants respectfully request that the Examiner withdraw the objection to the claims.

II. Claims Define Patentable Subject Matter

The Office Action rejects claims 2-6 under 35 U.S.C. §112, second paragraph, as being indefinite; rejects claims 1-4 and 6 under 35 U.S.C. §103(a) as being unpatentable over Takada (U.S. Patent Application Publication No. 2002/0027932) in view of Oka (U.S. Patent No. 5,289,479), further in view of Hale (Applied Optics, December 15, 1988), and further in

view of either Vrehen (U.S. Patent No. 6,596,984) or Snoeren (U.S. Patent No. 5,774,269); and rejects claim 5 under 35 U.S.C. §103(a) as being unpatentable over Takada in view of Oka, further in view of Hale, further in view of Vrehen or Snoeren, and further in view of Kuizenga (U.S. Patent No. 5,249,192). The §112, second paragraph, and §103(a) rejections as they pertain to canceled claims 1-6, respectively, are now moot.

Allowable claim 9 is rewritten in independent form including all of the limitations of the base claim.

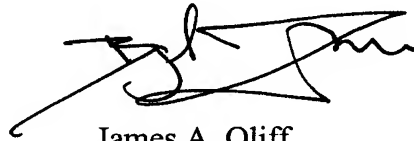
In accordance with the above remarks, Applicants respectfully submit that independent claim 9 defines patentable subject matter. Claim 10 depends from claim 9, and therefore, also defines patentable subject matter, as well as for the additional features it recites. Thus, Applicants respectfully request that the Examiner withdraw the rejections.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 9-10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James A. Oliff', written over a horizontal line.

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